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August 29, 2012

The Honorable Judge Susan Richard Nelson
Warren E. Burger Federal Building and U.S. Courthouse
316 North Robert St.; Ste. 774
St. Paul, MN 55101

Re: Brodkorb v. State of Minnesota, the Minnesota Senate, and Cal Ludeman
Court File No. 12-cv-01958 (SRN/AJB)

Dear Judge Nelson:

We are writing to request permission to file a brief in support of Defendants' Rule 12(b)(6) motion to dismiss, which, in conjunction with the already filed Rule 12(f) motion and motion for misjoinder under Rule 21 could bring the total of the two briefs above the 12,000 word limit for a supporting memorandum and reply. It is unclear whether the Defendants should be entitled to 24,000 words because there are two Rule 12 motions, but we would prefer to seek the Court's permission prior to assuming that such a word limit would apply. We note that multiple summary judgment motions are treated as a single motion pursuant to Local Rule 7.1(c)(4). We are making this request pursuant to Local Rule 7.1(f).

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Harristhal", written over a horizontal line.

Christopher J. Harristhal, for
Larkin Hoffman Daly & Lindgren Ltd.

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